IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 16TH OCTOBER 2007 / 24TH ASWINA 1929

Bail Appl..No. 6222 of 2007()

CRMP.8572/2007 of J.M.F.C.,CHAVAKKAD
CRIME NO.336/07 OF PAVARATTY POLICE STATION

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PETITIONERS/ACCUSED

PRABHAKARAN,
S/O.SANKAR, KURUVATHOOR HOUSE,
MULLASSERY VILLAGE, AYYAPPAMKUDAM DESOM.

BY ADV. SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SRI.N.A.SHAFEEK

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTING SUB INSPECTOR OF POLICE,
PAVARATTY POLICE STATION,
REP.BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. No. 6222 OF 2007

Dated this the 16th day of October, 2007

ORDER

Application for regular bail. The petitioner faces allegations in a crime registered under Sec.394 of the IPC. The crux of the allegations against the petitioner is that on the early hours of 5/9/07 he allegedly snatched a gold chain worn by the de facto complainant in her property and made good his escape with the stolen article. On the basis of the identification by the local people, the petitioner was brought on the array and was arrested on 6/9/07. The recovery of the stolen article was also effected on the basis of the statement of the petitioner. The petitioner thus continues in custody from 6/9/07.

2. The learned counsel for the petitioner submits that the petitioner - a person aged 40 years, has no criminal

antecedents whatsoever. In these circumstances, the petitioner may be enlarged on bail, it is prayed.

3. The learned Public Prosecutor opposes the application. The learned Public Prosecutor submits that considering the nature and gravity of the allegations, the petitioner may not be enlarged on bail at this early stage. Investigation is not complete yet, it is reported.

4. I find merit in the opposition by the learned Magistrate. I am satisfied that the Investigator must be given reasonable further time to complete the investigation after the arrest of the petitioner.

5. This petition is accordingly dismissed. I may, however, hasten to observe that the petitioner shall be at liberty to move this Court again for bail at a later stage of the investigation – not, at any rate, prior to 30/10/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(R. BASANT, JUDGE)

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